



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE CLASSICAL WEEKLY

Entered as second-class matter November 18, 1907, at the Post Office, New York, N. Y., under the Act of Congress of March 1, 1879

VOL. VIII

NEW YORK, JANUARY 23, 1915

No. 13

[Concluded from page 90]

The second feature is the broad upland to the north. This is formed of the same crystalline rock, but, instead of being worn away, it has been cut into sharp gorges and valleys. From a distance this plain has a level appearance, but on closer view the rough character is evident, and it becomes obvious that effective manoeuvring is impossible in such country.

The third feature is the sloping surface of the Paris Basin itself, where the horizontal chalk, limestone and sandstone layers come to the surface in sharp cliffs and escarpments that face the German guns. These cliffs have openings or river gaps of great strategic importance. The fourth, the Belgian plain, presents a surface that is admirable for the movement of massed troops.

... the topography of these different regions has limited the Germans to four principal routes of invasion. The first is from Strassburg, in the Rhine Valley; thence over the Vosges or by way of the Belfort gateway into the Valley of the Saone, which is also formed by the dropping down of a longitudinal section of the earth's crust, and finally over the cliffs to Paris itself.

The Belfort gateway is the opening between the southern end of the Vosges and the Jura Mountains. In the middle of this opening, where the mountains narrow down to it on either side, is one of the strongest forts on the French frontier. It commands the entire valley and the routes of transportation. To mask it and pass around is difficult, if not impossible, on account of the inclosing hillsides.

The Germans have tried to take the Vosges, or, rather, to hurl men across them, but have been driven back with heavy losses.

The second route is from Coblenz by way of the Moselle Valley and then across the remaining cliff lines to Paris. That this has been one of the chief points of assault can be seen by the names of the towns in the dispatches and also by the term, The Army of the Moselle. The third route runs from Cologne by way of the Meuse Valley through the Ardennes in Belgium into France. But although the army sent by this route encountered a smaller number of cliffs, strong fortresses have had to be reduced. Liège and Namur blocked the way of the invading army, that could not pass and allow its lines of communication to be threatened by these great fortresses.

The fourth and the last route is from Cologne and Aix-la-Chapelle across the plains of Belgium, through Brussels and Mons to Northern France and thence by way of Cambrai and St. Quentin to Paris. This route is the one by which the Germans launched their main attack, and the advantages of the flat country that they encountered were considered by them to be greater than the disadvantages from violating the neutrality of Belgium and possibly bringing England into the war. The advantages remained in spite of the fact that this route is practically 50 per cent longer

from German territory to Paris than that of the Moselle Valley route from west of Metz to Paris. The actual distance is 385 kilometres in the first case, as opposed to 260 kilometres. Germany preferred the smoother route, although the choice involved longer lines of communication as well as the other evils already mentioned. She preferred it because its topography favored the swiftest advance of great armies and heavy artillery in the face of the enemy. She could doubtless have captured the Belfort gateway and sent in her army by the two routes that would have left Belgium unscathed. But the Russian menace was too imminent, in the opinion of her statesmen, to be tampered with by dilatory measures.

On all other routes there are to some extent the steep escarpments of the Paris Basin. While these cliffs would not appear particularly difficult to the eye of the civilian, we must remember that a gentle slope is a steep one to an army, while a steep slope is often utterly impassable. The French artillery at the top of the opposing cliffs can command the German line as it sweeps toward them on the plains. Even a rear guard action can be successfully fought out on top of one of these cliffs, while the bulk of the army retreats to the next cliff line. This strategic advantage is apparent in the dispatches, telling so frequently that the invaders had been driven back by the artillery on the heights.

Rivers have cut paths through these escarpments, but the gaps are for the greater part defended by powerful forts. In some cases the rivers have been diverted, leaving the gaps and the valleys. One prehistoric river cuts the valley that is filled by the St. Gond Marsh, now famous through the use it has been put to by General Joffre. When the Germans were at the height of their success they were led on by Joffre in such a way that, when it became necessary for them to fall back, their centre had to pass directly through this marsh, with the consequent loss of much of their artillery.

The Russian advance ... into East Prussia is impeded by formidable natural obstacles on their right wing. Eastern Germany and Northwestern Russia have been overrun by glaciers that have left a series of marshes and lakes which are almost impassable in the rain. The lakes of East Prussia are one of the main defensive features of the country. On the south the Russians are pushing westward, using the Carpathian Mountains as a protection to their left flank.

When the allies push their armies into Germany they will have a problem as difficult as that which the Germans have encountered in their invasion of France.

... Northern Germany is a plain like Belgium, but South Germany presents far more difficulty. If the French take Alsace, the Germans can fall back on the Black Forest and the region east of the Rhine gorge further north. The French then will be in exactly the same position as the Germans have been in the Vosges, with the necessity of storming the steep side of the Rhine Valley under the German artillery fire. Under these conditions a vigorous and effective defence

may be anticipated, which will do much to prolong the war.

The above quotations from the Tribune amply explain why Caesar's battlefields and those of the present struggle so often coincide. I may remark in conclusion that one of the most illuminating periods of work to me was the time I spent—several weeks—in careful study of the geography of Italy, in connection with a course on Roman Life. Here of special service was the volume on Italy in Stanford's elaborate work on European geography. One part of Müller's Handbuch, Dritter Band, Dritte Abteilung, is J. Jung's Grundriss der Geographie von Italien und dem Orbis Romanus² (Munich, 1897). Of value bibliographically is Lübker, Reallexikon des Klassischen Altertums³ (Leipzig, 1914). Reference may be made also to A. Philippson, Das Mittelmeergebiet: Seine Geographische und Kulturelle Eigenart (Leipzig, 1904). The book deals with a wide variety of topics relating to the geology of the Mediterranean Basin (Chapters I–VI), Die Pflanzenwelt (Chapter VII), Die Landtiere (Chapter VIII), and Der Mensch (Chapter IX); it is illustrated by "9 Figuren im Text, 13 Ansichten, und 10 Karten auf 15 Tafeln". A book still of value, though antiquated now, is a Course in Ancient Geography, by H. I. Schmidt (D. Appleton and Co., 1877). One of the fortunate things in my preparatory school career was the fact that I was obliged to memorize large portions of this book. C. K.

THE PROSECUTION OF SEXTUS ROSCIUS

A Case of Parricide, with a Plea of Alibi and Non-motive

[Concluded from page 93]

The judiciary bill passed by Sulla in the year 81 had restored to the senators alone the right to serve on juries. Cicero compliments the personnel of the jury sitting on the case of Roscius, by telling them that they were chosen senators because of their good qualities, and that they were selected as *iudices* because of their strictness⁵². Cicero elsewhere alludes to the change in the composition of juries effected by Sulla⁵³. The senators available for jury duty were divided into decuries, and a decury was assigned to a definite case. The number of jurors was then reduced by peremptory challenge to that appropriate to the case.

When the trial began, an opening speech was delivered by Erucius. In this he gave an outline of what he intended to prove by means of witnesses. He dwelt at length on the assumed motive of Roscius for committing the crime, and in general built up a case based almost wholly on circumstantial evidence. To this speech Cicero made reply in the oration we have. This is the one good opportunity the defense has, as we shall see later, to make a strong plea, and Cicero bends every effort to this part of the case.

After the attorneys had finished their initial statements, the taking of evidence for the prosecution began. The prosecutor, by means of questions, led the witness to tell his story, and then handed the witness over to the attorney for the defense for cross-examination. The prosecution could enforce the attendance of witnesses upon the trial, and could force them to testify. But no witness appeared for the defense, unless they chose voluntarily so to do. This is the most unjust part of a Roman criminal case. It places the defense at a frightful disadvantage. In the important case of Milo, Cicero does not mention, in the whole course of his lengthy speech, that a single witness for the defense was present or would give evidence, nor does Asconius do so in his Commentary on the speech, although he gives a long list of the witnesses for the prosecution. An exception appears in the speech for Archias. There Lucullus and representatives from Heraclea personally came to testify in behalf of the defendant. In the speech for Roscius Cicero does not hint that he will be able to call witnesses in favor of his client.

When the taking of evidence was completed, there were further speeches by the prosecution and the defense, devoted to an examination of the evidence. These speeches were, naturally, more technical than those delivered at the opening of the case, and for this reason would be of less general interest to the majority of readers. Here we have the explanation of the fact that very few of these second speeches of Cicero are preserved⁵⁴.

The attorney for the defense had a good opportunity to weaken the case for the prosecution in his cross-examination of witnesses, and in his final statement to the jury. He might show that the witnesses were so prejudiced that their evidence was untrustworthy⁵⁵. For example, Cicero says that T. Roscius Capito is likely to give evidence against Sex. Roscius⁵⁶, and asserts that he will so question Capito as to make it obvious that the past life of Capito was criminal and the evidence he was about to offer was perjured⁵⁷. He might show that the evidence was secured through bribery⁵⁸. But he could bring forward no witnesses to give a positive proof that his statements in court were true. Cicero asserts that Roscius did not kill his father with his own hand, for he was in Ameria at the time his father was killed in Rome⁵⁹. He endeavors to establish an alibi. Common justice would seem to grant the defense the right to produce some citizen, or citizens, of Ameria, who had seen the son at Ameria on that day, in order to prove the fact. Or, still better, the defendant himself would be allowed to take the stand in his own behalf. But the Roman law prohibited a man from giving evidence in his own

⁵²8: qui ex civitate in senatum propter dignitatem, ex senatu in hoc consilium delecti estis propter severitatem.

⁵³In Verrem I. 13. 37 inter decem annos, posteaquam iudicia ad senatum translata sunt. Compare Tacitus, Ann. II. 22.

⁵⁴They are Pro Fonteio, Pro Flacco, and Pro Scauro. The Fifth Verrine purports to examine evidence already presented, but it is not in point, as the speech was not actually spoken.

⁵⁵103. ⁵⁶102; 84.

⁵⁷101. Compare Digest 22.5.2–3.

⁵⁸30. ⁵⁹18.